UNITED
NATIONS

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15 May 1992

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REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received credentials signed on 14 May 1992 by the Secretary of State of the United States of America stating that Mr. Edward J. Perkins has been appointed representative of the United States on the Security Council.

In the opinion of the Secretary-General, these credentials are in order.

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UNITED
NATIONS

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LETTER DATED 14 MAY 1992 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions of my Government and in accordance with paragraph 8 of Security Council resolution 748 (1992), I have the honour to inform you of the measures taken by the United States of America to assure full and complete implementation of paragraphs 3 through 7 of that resolution:

The United States has maintained a series of restrictions on dealing with Libya since 1986. These restrictions were imposed by Executive Order 12543 of 7 January 1986 in response to Libya's continuing support for, and involvement in, acts of international terrorism. These pre-existing United States restrictions go beyond those contained in Security Council resolution 748 (1992). For example, under the United States Government's Libya sanctions regulations, virtually all imports from and exports to Libya are restricted. In addition, transactions by a United States person relating to (a) any transportation to or from Libya, (b) the provision of transportation to or from the United States by any Libyan person, vessel or aircraft, and (c) the sale in the United States of any transportation by air, are prohibited except as authorized by United States Treasury Department licence. All transactions described in paragraphs 4 (b), 5 (a) and 5 (b) of resolution 748 (1992) have therefore not been permitted by United States nationals or from United States territory since 7 January 1986.

On 15 April 1992, President George Bush signed Executive Order No. 12801 entitled "Barring Overflight, Takeoff, and Landing of Aircraft Flying to or from Libya". Subsequently, on 16 April 1992 the United States Government issued a Notice to Airmen (NOTAM) prohibiting such aircraft operations. Executive Order No. 12801 bars any aircraft from landing in, taking off from, or overflying the United States as part of a continuation of a flight to or from Libya. This prohibition covers legs or continuation of flights as well as direct flights. This prohibition is in addition to the comprehensive embargo on United States exprots to, and imports from, Libya adopted pursuant to Executive Order No. 12543 of 7 January 1986.

The United States has neither officials nor agents in Libya to advise the Libyan authorities in military matters. Accordingly, no action was required to comply with paragraph 5 (c) of resolution 748 (1992).

Other than the Libyan Mission to the United Nations, there have been no Libyan diplomatic or consular posts in the United States since 11 May 1981, when the United States required Libya to close its People's Bureau in the United States because of a wide range of Libyan provocations and misconduct, including support for international terrorism. With regard to the requirement under paragraph 6 (a) of resolution 748 (1992) to significantly reduce the number and the level of staff of Libyan missions to international organizations, the United States Government, following consultations held with the United Nations, instructed the Libyan Mission to the United Nations to reduce its diplomatic component by three, to include the Deputy Permanent Representative of the Mission. The maximum diplomatic component at the Libyan Mission to the United Nations will be nine. Since November 1981, the United States, for reasons of national security, has restricted the movement of Libyan staff assigned to the United Nations to the five boroughs of the City of New York.

There are no Libyan Arab Airline offices located in the United States. Thus no action was required to comply with paragraph 6 (b) of resolution 748 (1992).

United States immigration law provides for the denial of entry into the United States of any person who has engaged in, or is likely to engage in, terrorist activities. This provision is vigorously enforced. Accordingly, the United States Government affirms that it takes all steps necessary to deny entry to or expel Libyan nationals who have been denied entry to or expelled from other States because of their involvement in terrorist activities.

The United States Government affirms that it will act strictly in accordance with the provisions of Security Council resolution 748 (1992) notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted before 15 April 1992.

(Signed) Edward J. PERKINS

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

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NOTE VERBALE DATED 13 MAY 1992 FROM THE PERMANENT REPRESENTATIVE OF GREECE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Greece to the United Nations prseents his compliments to the Secretary-General of the United Nations and, with reference to his Note SCPC/1/92(2) of 3 April 1992, has the honour to inform him of the measures taken by Greece to implement Security Council resolution 748 (1992).

In accordance with said resolution, all flights by Libyan Arab Airlines and by Olympic Airways to or from Libya have been suspended as of 15 April 1992. Furthermore, no aircraft, wherever registered, is permitted to take off from, to land in, or to fly over Greek territory if it is destined for, or has taken off from, Libya, with the exception of flights approved by the Security Council Committee Established by Resolution 748 (1992) on grounds of significant humanitarian need in accordance with paragraphs 4 (a) and 9 (e) of same resolution. In addition, measures have been taken to prevent the operation of the offices of the Libyan Arab Airlines in Athens, both in town and at the international airport.

Appropriate measures have also been taken to implement the provisions of paragraph 4 (b) of the resolution, concerning the supply of aircraft or aircraft components, the provision of engineering and maintenance servicing of Libyan aircraft or aircraft components, etc.

As for the embargo on exports of weapons and military supplies to Libya, provided for in paragraph 5 of resolution 748 (1992), Greece has been implementing such an embargo since 1986, in accordance with a decision of the European Community.

As concerns paragraph 6 (a) of resolution 748 (1992), Greece has informed Libya that four Libyan diplomatic officers must leave the territory of Greece by 13 May 1992.

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UNITED
NATIONS

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Security Council

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NOTE VERBALE DATED 14 MAY 1992 FROM THE PERMANENT MISSION OF HUNGARY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the Republic of Hungary to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to submit the following information on measures undertaken by the Government of the Republic of Hungary to implement Security Council resolution 748 (1992).

Acting in accordance with the provisions of the Charter of the United Nations, on 6 April 1992, the Government of the Republic of Hungary adopted decree 1020/1992 concerning the implementation of the sanctions against Libya contained in the relevant paragraphs of Security Council resolution 748 (1992). Having entered into force on 15 April 1992, the government-decree published in the No. 40/1992 issue of "Magyar Közlöny" (Hungarian Official Law Records) calls upon all State and government organs, companies and other institutions to implement Security Council resolution 748 (1992) and to refrain from all activities incompatible with its provisions.

Pursuant to the aforementioned government-decree, the Ministry of Transport and Communication issued regulations to prohibit any aircraft to take off from, land in, or overfly the territory of the Republic of Hungary if it is destined to land in, or has taken off from the territory of Libya.

The permission of the Libyan Arab Airlines to operate and conduct business in Hungary has been withdrawn as of 15 April 1992.

National legislation in force in the Republic of Hungary specifically prohibits any sale or delivery of weaposn and military equipment from the Republic of Hungary to countries regarding which the Security Council decided on an arms embargo (government-decree 48/1991). Violations of the relevant legal provisions are punishable to the full extent of the law.

The competent Hungarian authorities are obligated to enforce the arms embargo against Libya for as long as the Security Council decides otherwise.

There are no Hungarian officials or agents present in Libya to advise the Libyan authorities on military matters.

The number of the staff at the Libyan Embassy in Budapest has been reduced by five diplomats and appropriate steps have been taken to control the movement of the remaining staff.

It follows from the foregoing that the Government of the Republic of Hungary strictly abides by the obligations stipulated in Security Council resolution 748 (1992) and is committed to the full implementation of its provisions.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

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15 May 1992

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NOTE VERBALE DATED 15 MAY 1992 FROM THE PERMANENT REPRESENTATIVE OF POLAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Republic of Poland to the United Nations presents his compliments to the Secretary-General of the United Nations and pursuant to Security Council resolution 748 (1992), paragraph 8, has the honour to submit the following report of the Government of the Republic of Poland on measures it has instituted for meeting the obligations contained in paragraphs 3 to 7 of the resolution:

"In implementation of the mandatory sanctions against the Libyan Arab Jamahiriya, established by the Security Council in its resolution 748 (1992), the Council of Ministers of the Republic of Poland has adopted a resolution, effective as of 15 April 1992, obligating the Government branches concerned to proceed forthwith with the implementation of the relevant provisions of Security Council resolution 748 (1992).

Accordingly, as of 15 April 1992,

- no aircraft has been permitted to take off from, land in or overfly Polish territory if it was destined to land in or it took off from the territory of Libya. In effect all Polish air corridors have remained closed for all aircraft en route to or from Libya;

- no aircraft or aircraft components have been supplied to Libya, no engineering and maintenance servicing of Libyan aircraft or aircraft components has been provided, no certificates of air-worthiness for Libyan aircraft and no direct insurance for Libyan aircraft have been issued;

- government branches and agencies have been obligated under the Council of Ministers resolution to issue specific regulations banning the provision to Libya of arms and weapons and other military equipment and denying the provision of technical advice or training related thereto;

- in the period covered by this report no Polish officials or agents were present in Libya to advise the Libyan authorities on military matters;

- the staff at the Libyan diplomatic mission in Warsaw has been reduced from 19 to 17 and the movement of the remaining staff has been under control of competent authorities. All departures, beyond the radius of 50 km of Warsaw, must be notified in advance to the Ministry of Foreign Affairs and the final destination, means of transportation and the accompanying persons, if any, must be reported;

- proper steps have been taken to prevent the operation of the Libyan Airlines office in Warsaw;

- appropriate measures have been taken by the competent Polish authorities to deny entry to Libyan nationals who have been denied entry to or expelled from other States because of their involvement in terrorist activities.

Under previously adopted regulations, Libya is in a group of countries to which all military exports and the delivery of related services is prohibited."

UNITED
NATIONS

S

Security Council

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REPORT OF THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS CONCERNING THE APPLICATION OF THE REPUBLIC OF CROATIA FOR ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

1. At the 3073rd meeting on 14 May 1992, the Security Council had before it the application of the Republic of Croatia (S/23884) for admission to membership in the United Nations. In accordance with rule 59 of the provisional rules of procedure of the Security Council and in the absence of a proposal to the contrary, the President of the Council referred the application to the Committee on the Admission of New Members for examination and report.

2. At its 87th meeting on 15 May 1992, the Committee considered the application of the Republic of Croatia and unanimously decided to recommend to the Security Council that the Republic of Croatia should be admitted to membership in the United Nations.

3. The Committee further decided to recommend to the Security Council that it should have recourse to the provision of the last paragraph of rule 60 of its provisional rules of procedure.

4. Accordingly, the Committee recommends to the Security Council the adoption of the following draft resolution:

The Security Council,

Having examined the application of the Republic of Croatia for admission to the United Nations (S/23884),

Recommends to the General Assembly that the Republic of Croatia be admitted to membership in the United Nations.

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UNITED
NATIONS

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Security Council

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GENERAL

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REPORT OF THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS CONCERNING THE APPLICATION OF THE REPUBLIC OF SLOVENIA FOR ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

1. At the 3074th meeting on 14 May 1992, the Security Council had before it the application of the Republic of Slovenia (S/23885) for admission to membership in the United Nations. In accordance with rule 59 of the provisional rules of procedure of the Security Council and in the absence of a proposal to the contrary, the President of the Council referred the application to the Committee on the Admission of New Members for examination and report.

2. At its 88th meeting on 15 May 1992, the Committee considered the application of the Republic of Slovenia and unanimously decided to recommend to the Security Council that the Republic of Slovenia should be admitted to membership in the United Nations.

3. The Committee further decided to recommend to the Security Council that it should have recourse to the provision of the last paragraph of rule 60 of its provisional rules of procedure.

4. Accordingly, the Committee recommends to the Security Council the adoption of the following draft resolution:

The Security Council,

Having examined the application of the Republic of Slovenia for admission to the United Nations (S/23885),

Recommends to the General Assembly that the Republic of Slovenia be admitted to membership in the United Nations.

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